

REMARKS

Claims 1-21 are now pending in the application, of which Claims 10-21 have been withdrawn from consideration. Claims 1-9 stand rejected; and Claims 1, 8 and 9 are objected to. Claims 1, 2, 8 and 9 have been amended. Support for the amendments can be found throughout the application, drawings and claims as originally filed and, as such, no new matter has been presented. Specifically, support for the amendment of Claim 1 can be found at least at paragraph [30] of the application as filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

CLAIM OBJECTIONS

Claims 1, 8 and 9 stand objected to for certain informalities. Applicants have amended these claims according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-9 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed. In the rejection of the claims, the Office states that it would not be clear to one skilled in the art how steps (a)-(h) relate to each other. The Office further states that one skilled in the art would not know how to calculate "contribution margins." Applicants respectfully assert that "contribution margins" is a term of art in the business community. In this regard, a contribution margin is defined as Total Revenue (TR, or Sales) minus Total

Variable Cost (TVC). Applicants respectfully submit that those skilled in the art would clearly know how steps (a)-(e) are used in calculating both a forecast contribution margin and an actual contribution margin.

REJECTION UNDER 35 U.S.C. § 101

Claims 1-9 stand rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter, specifically regarding Claims 1 and 9. The Examiner's attention is directed to Claim 1 which has been amended to overcome the Examiner's rejection. In this regard, Claim 1 and its dependents have been modified to include the limitation "providing a risk classification map."

REJECTION UNDER 35 U.S.C. § 102

Claims 1-3 and 6-9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Weiss (U.S. Publ. No. 2005/0171877). This rejection is respectfully traversed. The Examiner's attention is directed to independent Claim 1. Claim 1 has been amended to include the limitation that "acquiring data with respect to a manufacturing system having a plurality of manufacturing plants, logistics routes transportation methods." Applicants note that while Weiss may discuss evaluating individual manufacturing plants for overall cost, including insurance cost, it is completely silent as to analyzing an overall manufacturing system to determine institutional risk. Further, Applicants respectfully submit that Weiss is silent as to calculating a forecast contribution margin for all assembly plants within a manufacturing system. Weiss is also silent as to calculating

an actual contribution margin for each manufacturing plant under a business interruption loss, and using the contribution margins to evaluate property loss risk measures.

With respect to the rejection of Claim 2, Applicants respectfully submit that Weiss is silent as to acquiring data from manufacturing sites within an organization and without an organization and using this acquired data to calculate both forecast and actual contribution margins. Further, Applicants respectfully submit that Weiss is silent as to conducting an evaluation as to property loss risk measures by evaluating the forecast contribution margin and the actual contribution margin using this data.

REJECTION UNDER 35 U.S.C. § 103

Claims 4-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Weiss in view of Cargille et al. (U.S. Publ. No. 2003/0050870). For at least the reasons stated above, Applicants respectfully submit that the limitations of Claims 1-9 are not shown or suggested in either the Weiss or the Cargille reference. As such, Applicants respectfully submit that the rejections under 35 U.S.C. § 103 are improper. Withdrawal of these rejections is requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and

favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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